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14 UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA

16 JAMES SANFORD,  
17 Plaintiff,

Case No. CIV. S 04-1770 LKK CMK

18 v.

**REQUEST FOR DISMISSAL AND  
ORDER THEREON**

19 DENNY'S, INC. DBA DENNY'S #2156; and  
DOES 1 through 10,  
20

21 Defendants.  
22 \_\_\_\_\_/

1 TO THE COURT AND ALL PARTIES:

2 Pursuant to a Settlement Agreement and Release between plaintiff, James Sanford,  
3 and defendant, Denny's, Inc. dba Denny's #2156, the parties hereby request that all parties  
4 be dismissed with prejudice from the above-entitled action.

5 Dated: September 8, 2005

LAW OFFICES OF LYNN HUBBARD, III

6  
7 /s/ Scottlynn J. Hubbard, IV  
8 SCOTTLYNN J HUBBARD, IV  
Attorneys for Plaintiff

9  
10 Dated: September 7, 2005

HARRINGTON FOXX DUBROW & CANTER

11  
12 Signature On File  
HENRY WIRTA, ESQ.  
13 Attorneys for Defendant Denny's, Inc. dba  
Denny's #2156

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15  
16 **ORDER**

17 IT IS HEREBY ORDERED that the complaint of plaintiff, USDC Case No. CIV.S-04-  
18 1770 LKK CMK is hereby dismissed with prejudice.

19  
20 Dated: September 14, 2005.

/s/Lawrence K. Karlton  
Lawrence K. Karlton  
21 Senior Judge